

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 415

Introduced by Bohlke, 33

Read first time January 14, 1999

Committee: Education

A BILL

- 1 FOR AN ACT relating to schools; to amend section 79-220, Reissue
- 2 Revised Statutes of Nebraska, and section 79-214, Revised
- 3 Statutes Supplement, 1998; to change admission
- 4 requirements; to harmonize provisions; and to repeal the
- 5 original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-214, Revised Statutes Supplement,
2 1998, is amended to read:

3 79-214. (1) Except as provided in subsection (2) of this
4 section, the school board or board of education of any school
5 district shall not admit any child into the kindergarten or
6 beginner grade of any school of such school district unless such
7 child has reached the age of five years or will reach such age on
8 or before October 15 of the current year.

9 (2) The board may admit a child who will reach the age of
10 five between October 16 and February 1 of the current school year
11 if the parent or guardian requests such entrance and provides an
12 affidavit stating that (a) the child attended kindergarten in
13 another jurisdiction in the current school year, (b) the family
14 anticipates relocation to another jurisdiction that would allow
15 admission within the current year, or (c) the child has
16 demonstrated through recognized assessment procedures approved by
17 the board that he or she is capable of carrying the work of
18 kindergarten or the beginner grade.

19 (3) The board may require a birth certificate prior to
20 entrance of a child into the beginner grade and shall require
21 evidence of a physical examination by a physician, physician
22 assistant, or nurse practitioner and a vision and eye examination
23 by an optometrist or ophthalmologist within six months prior to the
24 entrance of a child into the beginner grade and the seventh grade
25 or, in the case of a transfer from out of state, to any other grade
26 of the local school, except that no such physical examination or
27 vision and eye examination shall be required of any child whose
28 parent or guardian objects in writing. The cost of such ~~physical~~

1 ~~examination~~ examinations shall be borne by the parent or guardian
2 of each child who is examined.

3 Sec. 2. Section 79-220, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 79-220. At the time the parent or guardian of any child
6 is notified that such child must have a physical examination or
7 vision and eye examination pursuant to section 79-214 or
8 immunizations pursuant to section 79-217, he or she shall also be
9 notified in writing of his or her right to submit a written
10 statement refusing a ~~physical~~ such examination or immunization for
11 his or her child.

12 Sec. 3. Original section 79-220, Reissue Revised Statute
13 of Nebraska, and section 79-214, Revised Statutes Supplement, 1998,
14 are repealed.